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SENSITIVE
SIPDIS

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [PK](#) [IN](#)
SUBJECT: PUNJAB, AN EXAMPLE OF STATE OPPOSITION TO INDIA'S
NEW NATIONAL INVESTIGATION AGENCY

REF: A. A. NEW DELHI 00405
[B](#). B. NEW DELHI 00412
[C](#). C. NEW DELHI 00420

[1](#)1. (SBU) After the Mumbai attacks in November 2008, the Indian government moved quickly to establish a National Investigation Agency (NIA) to investigate and prosecute terrorism cases. The move stirred resistance from many states which view ceding power to a national agency as an infringement of states rights. In a recent visit to Punjab to get a ground-level view, we found concerns about the new counterterrorism structure. The Punjab police's confidence in their ability to combat terrorism is one motivating factor in their objection to the new agency. This opposition will hamper the NIA's ability to successfully establish itself as a premier terror fighting agency. The tension between the states and the Center over NIA was evident when Indian Home Minister P. Chidambaram and NIA director Radha Vinod Raju queried FBI Director Robert Mueller recently (reftels) about the FBI's experience in dealing with jurisdiction issues. End summary.

Punjab Police Confident in CT Abilities

[1](#)2. (U) Poloff traveled with noted criminal justice expert Dr. David Bayley of the University of Albany-SUNY to Chandigarh, Punjab to discuss reforms and administration with state police officials. In a Q and A session following Dr. Bayley's lecture, Director General of Police (DGP) N.P.S. Aulakh was asked whether the counterterrorism (CT) function should be transferred to the newly formed NIA since terrorism is no longer a problem in Punjab. The DGP firmly opposed such a proposal, explaining that the local police had been successful in dealing with terrorism so they should retain the primary CT function in Punjab. He said having police "boots on the ground" provides an edge since they are better able to gather local intelligence than national or regional police.

[1](#)3. (SBU) A noted Indian police expert agreed with this assessment. Dr. Ajai Sahni, Director of Institute for Conflict Management, also pointed to the Punjab police's success in eradicating terrorism as a good example of how India's police forces can combat terrorism more effectively than a national security force. He cited this example to

support his assessment that CT should be handled at the local level and not be transferred to a national agency.

14. (U) Local police officials expressed concerns about crime, but were sanguine about the unlikelihood of a revival of terrorism that plagued Punjab in the past. Dr. Navinder Bhargav, Deputy Director of General Administration at the Punjab Police Academy in Phillaur, said the Punjab police are more concerned about crime by seasonal workers from other states who evade arrest because they are not registered with the Punjab administration. On Sikh extremism, Bhargav explained that the Punjab police eradicated terrorism from Punjab in the 1990s. He noted that former extremists were drawn from the unemployed youth, but the better economic situation in the state today has dampened the interest of youth in such destructive activities. In his view, Punjab witnessed a strong economic downturn and instability during the days of militancy and its people do not support a return to those dark days. Inspector General of Police Pajag Jain expressed similar sentiments, adding that the Punjabi farmers, from whose ranks many of the disaffected youths were recruited, are more interested in tilling their fields than joining extremist groups today.

Comment

16. (SBU) Punjab is only one of many states that object to the NIA. States with past CT experience and successes believe they have a legitimate platform to argue for their continued

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primacy in terror related investigations. States less experienced in CT also object to the NIA on the grounds that a national agency infringes on their rights since the Indian constitution delegates responsibility for law and order to the states rather than to Delhi. The creation of the NIA was one of several GOI initiatives designed to strengthen India's terror fighting capacity after the Mumbai terror attacks. Opposition will inhibit the GOI's ability to stand up a central law enforcement agency that is the principal investigative agency for terror related attacks.
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